

## Suburban Committee Concept Paper

12/15/05

### Background

Increasing population, rising land prices and changing life styles are pushing a demand for urban type settings outside Loop 610, the area designated as ‘Urban’ in Chapter 42. While more developers are trying to accommodate this demand for higher densities and mixed uses, present regulations do not facilitate much in the way of innovation. Instead, a complex process to obtain a variance must be followed and the approvals are not predictable.

In 1999, substantive changes were made to planning standards for the urban area – allowing for higher densities, decreased setbacks, and smaller lot sizes while suburban standards remained largely unchanged. Last Spring, the Suburban Subcommittee was charged with the task of considering what elements of our urban rules would make sense if applied in the suburbs. Over the past six months, the committee considered the four concepts described below. While members have given their support to each of these, more work will be needed to iron out the details.

### Recommendations

**1. *Mixed Use Areas.*** The Mixed Use Area (MUA) designation will foster mixed use, high density development that reduces auto dependency and creates a high-quality, pedestrian-friendly and transit-supportive environment. In areas under an MUA designation, altered regulations and infrastructure policies will allow and encourage more “urban” development without the need to apply for variances, provided that such development meets a set of pre-defined “performance standards.” Provisions of MUA standards must address both long term redevelopment of existing, multi-owner areas like Westchase and “greenfield” sites that would be unified projects by a single owner.

#### A. Types of Suburban Projects to be Considered as a “Mixed Use Area”

- Greenfield Project- Allow for a future urban center as the surrounding area is developed to support an urban center.
- In-fill/Redevelopment Project- Allow for an urban center within an existing developed support or trade area.

#### B. Proposed performance standards of concept plan required to qualify as a “Mixed Use Area”

- Create a Pedestrian Environment (required)
  - Sidewalks with minimum widths
  - Street trees

- Pedestrian/ bicycle linkages to surrounding area
- Street furniture (pedestrian lighting, benches, etc.)
- Building arcades/ canopies
- Access grid / maximum block lengths
- Narrower streets
- Transit Service (preferred) and adequate regional road access (required)
- On-Street Parking (preferred)
- Parking Structures -minimum 75% of off street parking requirement (preferred)
- Shared Parking between land uses (preferred)
- Property driveway access management (preferred)
- Bicycle lanes and storage (preferred)
- Building Height (minimum 2 stories required; 3 + stories preferred)
- “Build-to” building setback lines and sidewalk entrances (preferred)
- Multi-use sites - horizontal mixed use. Must have at least three different uses, and at least one of these must be residential (required)
- Mixed-use Buildings- vertical mixed use (preferred)
- Common publicly accessible open space (required)
- Adequate buffering of surrounding low-density areas (required)

It should be noted that these standards apply to the “end state” plan for an MUA. Redeveloping areas, as opposed to greenfield sites, would likely have an interim period where existing conditions would not meet the standards but would be reshaped over time according to the approved plan.

The development of an MUA ordinance will be necessarily complex and involve regulations and policies that fall under multiple existing ordinances and across multiple city departments. The end result, however, must be a set of regulations and policies that are as clear and objective as possible. To address this issue, the Committee recommends that the Planning Commission request the creation of an MUA Working Group. This public-private collaborative body would be composed of representatives from the Planning, Public Works and Legal Departments; the other Planning Commission committees; the development, real estate, and planning community; and activity center organizations such as management districts. The MUA Working Group would be charged specifically with the formulation of an MUA ordinance or set of ordinances, including the specific performance standards and altered development regulations and policies that would result from meeting those standards. In addition to the resources of the Planning, Public Works and Legal Departments, the Working Group may also utilize resources and expertise provided by its other participants in order to accomplish its tasks in a more expedient fashion.

**2. Courtyards.** Over the past several years, Planning Commission considered several projects that proposed to create more pedestrian friendly communities. The concept included single family residences on small lots that front on courtyards. Chapter 42 defines a courtyard as a space, open and unobstructed to the sky, located at or above grade level on a lot or parcel and bounded on two or more sides by walls of a building.

Vehicular access would be taken from the rear of the lot via private alleys. By granting several variances, Planning Commission allowed these projects to go forward. Though quality open spaces encourage interaction among residents, some concerns have been raised including inadequate signage to distinguish pedestrian paths from roads and limited access for emergency vehicles.

The Committee agreed that performance standards for courtyards is appropriate for encouraging quality public open spaces to compensate for increased density of units per acre to maintain quality of life; however, some additional study is needed to identify any unintended consequences. The Committee recommends that Planning Commission establish a working group to refine the following criteria:

In lieu of a lot having frontage on a street, a lot may have frontage on a courtyard when:

- ♦ Every lot along the public street fronts on a courtyard
- ♦ The courtyard is a minimum of 25' wide and 50' long
- ♦ At least 65% of the courtyard is permeable
- ♦ A minimum 4' walkway is provided for pedestrian only access to the lots fronting the courtyard. No vehicular traffic or parking is allowed in a courtyard.
- ♦ The courtyard is open and free of structures and fencing other than those included in an approved courtyard landscaping plan. A gazebo may be considered an element of such a plan.
- ♦ Vehicular access is provided only at the rear of the lot through a private street, private alley or public street in which a 10 foot setback is allowed.
- ♦ Connectivity via greenbelts should be provided where more than one courtyard exists.
- ♦ The courtyard(s) may be utilized to fulfill compensating open space requirements.
- ♦ A subdivision that utilizes courtyards for pedestrian access and lot frontage must be part of a unified development scheme where the owners of all lots within the subdivision are legal bound together by deed restrictions, contract or any other constituted and binding homeowners association, corporation, or other organization with as one of its purposes the continued care and maintenance of all commonly owned properties within the subdivision.

**3. Criteria for Amenities Plans.** Compensating open space is required for lots smaller than 5,000 square feet. The open space requirement increases as the lots decrease in size. As developers are challenged to meet more stringent detention requirements, requests to combine detention facilities with compensating open space are becoming more frequent. While Chapter 42 calls for an amenities plan to ensure that the proposed detention facility will also serve the community, no guidance is provided regarding criteria and level of detail to be covered in such a plan. After detailed discussions including meetings with Public Works and Engineering officials, the following concept and criteria are recommended for further consideration.

**Performance Standards for Amenities Plans:** The concept is to entice developers with a simple, straight forward approach by following design criteria that provides a “point-

system” rewarding the developer with a percentage of credits for the provided open space based on extent to which the detention facility will be enhanced and how it integrates with the community which it serves. After meeting a baseline requirement to install a storm scepter if the detention facility will not be a lake or pond, various types of drainage facilities can be provided, and credits vary as follows depending on the size of the project. There should be criteria for both large scale tracts and small scale tracts and which items must be met in each would be decided at another time, but both would choose from the elements below:

- 2.1. Natural Creeks, Drainage Ways, Bayous and Creeks
  - 2.1.1. Preservation 100%
  - 2.1.2. Enhancement with items from 2.3.9 35% (additional)
  - 2.1.3. Educational component 15% (additional)
- 2.2. Off-Site Detention Banking 0%
- 2.3. On-site Detention/Retention 80%
  - Maximum Credit, accumulated through the addition of any of the following criteria to a maximum of 100% which would equal the maximum allowed credit of 80%, the requirements and points per item are as follow:
    - 2.3.1. Connectivity to Major/City wide park system 5%
    - 2.3.2. Location 10%
    - 2.3.3. Dimensions and proportions (100’ min width) 5%
    - 2.3.4. Connectivity to other Parks within community 10%
    - 2.3.5. Parking 10%
    - 2.3.6. Recreational Value
      - 2.3.6.1. Recreational Boating 10%
      - 2.3.6.2. Sports Fields
        - 2.3.6.2.1. Equipped Sports Fields 5%
        - 2.3.6.2.2. Engineered Drainage/Irrigation 5%
    - 2.3.7. Visual Value for Community 5%
    - 2.3.8. Educational component 5%
    - 2.3.9. Landscape improvements and requirements
      - 2.3.9.1. Walkways 10%
      - 2.3.9.2. Benches & Trash Receptacles 5%
      - 2.3.9.3. Lighting 5%
      - 2.3.9.4. Drinking Fountains 5%
      - 2.3.9.5. Restroom Facilities 10%
      - 2.3.9.6. Planting requirements 10%
      - 2.3.9.7. Bank slopes (5 to 1: or be achieved through canals)
      - 2.3.9.8. Interactivity with Development 5%
      - 2.3.9.9. Design Features (Coolness Factor) 5%

The Committee recommends that the Planning and Development Department test the above approach and report back with findings.

**4. Reserves.** Section 42-192 of the Ordinance defines criteria for creating reserves but the language pertaining to restricted reserves is unclear and, in some cases, may discourage beneficial uses. To provide clarification, a matrix that clearly states the requirements for various reserves is proposed to be inserted . Also, to resolve some problems with the current requirements and to accommodate new, higher density, development trends some adjustments are proposed relative to street widths, minimum frontage and square foot requirements. See Appendix A to review the matrix and proposed changes. The Committee recommends that Chapter 42 be amended to include the matrix and that sufficient consideration of any unintended consequences occurs by both the Planning Commission and Public Works and Engineering officials.



**Proposed Reserve Requirments (12/15/05)**

Reserve Type	Minimum Size	Street Type	Minimum Street Width	Minimum Frontage
Unrestricted	5000 sf	public street	60' (unless street width exception area)	60'
<u>Restricted</u> <ul style="list-style-type: none"> <li>commercial</li> <li>industrial</li> <li>institutional</li> <li>church and related uses</li> <li>recreation</li> <li>school and related uses</li> <li>mobile home park</li> <li>multifamily</li> </ul>	5000 sf	public street	60' (unless street width exception area)	60'
<ul style="list-style-type: none"> <li>lift station</li> </ul>	PWE standard	public or Type 1 PAE	50'	20'
<ul style="list-style-type: none"> <li>compensating open space</li> </ul>	240 sf	public street	50'	12'
		Type 1 PAE	50'	
		Type 2 PAE	28'	
		shared driveway	16'	
<ul style="list-style-type: none"> <li>drill site</li> </ul>	To be determined	public street	60'	60'
<ul style="list-style-type: none"> <li>landscape / open space</li> </ul>	None required	None required	None required	None required
<ul style="list-style-type: none"> <li>drainage / detention</li> </ul>	PWE Standard	public street	50'	PWE standard
		PAE	28'	
		shared driveway if owned & maintained by HOA	16'	PWE standard
		n/a if abutting existing facility	n/a if abutting existing facility	none if abutting existing facility
<ul style="list-style-type: none"> <li>wastewater treatment/collection</li> <li>water plant</li> </ul>	PWE Standard	public or Type 1 PAE	50'	50'
		n/a if abutting existing facility	n/a if abutting existing facility	none if abutting existing facility

